

Mario N. Alioto (56433)
Joseph M. Patane (72202)
Lauren C. Capurro (241151)
TRUMP, ALIOTO, TRUMP & PRESCOTT LLP
2280 Union Street
San Francisco, CA 94123
Telephone: 415-563-7200
Facsimile: 415- 346-0679
Email: malioto@tatp.com
jpatane@tatp.com
laurenrussell@tatp.com

***Lead Counsel for the
Indirect Purchaser Plaintiffs***

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

**IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION**

Master File No. CV-07-5944-JST;
No. CV-13-03234-JST

MDL No. 1917

This Document Relates to:

All Indirect Purchaser Actions

**DECLARATION OF MARIO N. ALIOTO IN
SUPPORT OF INDIRECT PURCHASER
PLAINTIFFS' OPPOSITION TO OBJECTOR
DOUGLAS ST. JOHN'S MOTION FOR
ATTORNEY'S FEES AND EXPENSES**

Hearing Date: October 18, 2016

Time: 2:00 p.m.

Court: Courtroom 9, 19th Fl.

Judge: Hon. Jon S. Tigar

1 I, Mario N. Alioto, declare:

2 1. I am an attorney duly licensed by the State of California and am admitted to practice
3 before this Court. I am a partner with the law firm Trump, Alioto, Trump & Prescott, LLP and my
4 firm serves as Lead Counsel for the Indirect Purchaser Plaintiffs (“IPPs”) in the above-captioned
5 action. I submit this declaration in support of the IPPs’ Opposition to Objector St. John’s Motion for
6 Attorney’s Fees and Expenses, ECF No. 4779 (“Mot.”). The matters set forth herein are within my
7 personal knowledge and if called upon and sworn as a witness I could competently testify regarding
8 them.

9 2. Attached hereto as Exhibit A is a true and correct copy of the objections filed by
10 Anna St. John of the Center for Class Action Fairness (“CCAF”) in *In Re: Polyurethane Foam*
11 *Antitrust Litig.*, No. 1:10-md-02196-JZ, ECF No. 1960 (N.D. Ohio Nov. 12, 2015).

12 3. Attached hereto as Exhibit B is a true and correct copy of the objections filed by Ted
13 Frank of CCAF in *In re Citigroup Inc. Sec. Litig.*, No. 1:07-cv-09901, ECF No. 181 at 8-10
14 (S.D.N.Y. Dec. 27, 2012).

15 4. During the meet and confer before the filing of this motion, I requested St. John’s
16 time records but St. John refused to provide them.

17 5. St. John claims that Lead Counsel “refuse[d] to disclose the amount [of Special
18 Master’s fees] owed—or even IPP Counsel’s position as to whether any amount is owed—for no
19 apparent reason.” (Mot. at 8.) This is false. I never refused to disclose the amount owed to the
20 Special Master.

21 6. During the meet and confer, I explained to Mr. St. John that it is premature to allocate
22 the Special Master’s fees because the Special Master’s work is not yet complete. Pursuant to this
23 Court’s Fee Order, and the Special Master’s Order Re Process for Allocating Attorneys’ Fees (ECF
24 No. 4748), I recently filed a proposed allocation of the aggregate fee award to IPP Counsel. (ECF
25 Nos. 4790, 4800.) Objections to that proposed allocation are due shortly, and the Special Master’s
26 Report & Recommendation is due by October 20, 2016. (ECF No. 4748 at 2.) I intend to propose
27 an allocation of the Special Master’s fees after the October 20, 2016 R&R.
28

7. I will provide St. John with the total amount charged by the Special Master to date, but this is not what St. John requested during the meet and confer.

8. Attached hereto as Exhibit C is a true and correct copy of my email exchange with Scott St. John regarding Objector St. John's motion for attorneys' fees and expenses. The version of the email chain attached as Exhibit 2 to the Declaration of Joseph Scott St. John contained some garbled text.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 31st day of August, 2016, at San Francisco, California.

/s/ Mario N. Alioto

Lead Counsel for the Indirect Purchaser Plaintiffs